THE HON'BLE SRI JUSTICE C.V. RAMULU

Wednesday, 30th August, 2006

W.P.No.5229 of 2003

Between:

S. Nagireddy … Petitioner

and

The Revenue Divisional Officer,
Anantapur District & others … Respondents

THE HON'BLE SRI JUSTICE C.V. RAMULU

W.P.No.5229 of 2003

ORAL ORDER:

Heard both sides.

It appears that the petitioner is a fair price shop dealer of Utakallu village, Gooty Mandal of Anantapur District. While so, his authorization was suspended on 15-12-2001 on certain allegations made against him. Thereafter, on conducting a detailed enquiry, his authorization was cancelled by the 1st respondent-Revenue Divisional Officer on 18-1-2002. Questioning the same, the petitioner filed a statutory appeal before the 3rd respondent-Joint Collector. The said appeal was, however, rejected on 19-10-2002. Challenging the same, the petitioner carried the matter in revision before the 4th respondent-District Collector, but the same was also dismissed on 14-3-2003. Aggrieved by the same, the present Writ Petition is filed.

The only ground on which the authorization of the fair price shop dealership of the petitioner cancelled was that criminal proceedings have been initiated against him. According to the learned counsel for the petitioner, during the pendency of the Writ Petition, the criminal proceedings initiated against the petitioner in C.C.No.348 of 2003 on the file of the learned Judicial First Class Magistrate, Gooty ended in acquittal. Thereafter, the petitioner made a representation for consideration of restoration of his authorization as per Clause 5(4) of the A.P. State Public Distribution System (Control) Order,2001. However, the 1st respondent-Revenue Divisional Officer, Anantapur

by an endorsement dated 11-8-2006 intimated the petitioner that since the present Writ Petition is pending against the cancellation of his fair price shop authorization, soon after the receipt of the final orders from this Court, the matter will be decided.

In view of the above, there is no necessity of going into all the details and merits. Since the petitioner has made a representation on 1-8-2006 and the same is under consideration before the 1st respondent, the Writ Petition is disposed of directing the 1st respondent to consider the said representation of the petitioner as per Clause 5(4) of the A.P. State Public Distribution System (Control) Order,2001 and pass appropriate orders, within a period of four weeks from the date of receipt of a copy of this order and communicate the same to the petitioner. No order as to costs.

30-8-2006

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